

ORIGINAL

FILED
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
2004 APR 28 PM 5
HOUSTON DIVISION

U.S. COURTS
SOUTHERN DISTRICT
PRESTON HUGHES, III
Petitioner

United States Courts
Southern District of Texas
FILED

APR 28 2004

Michael H. Milby, Clerk

V. Cause H- 01-4073
DOUGLAS DRETKE, DIRECTOR
TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, INSTITUTIONAL DIVISION
Respondent

PETITIONER'S PROPOSED DISCOVERY SCHEDULE

TO THE HONORABLE JUDGE OF SAID COURT

COMES NOW, THE PETITIONER, HUGHES, by and through his
attorneys of record, and offers this, his Proposed Discovery Schedule, and in
support thereof would show this Honorable Court the following:

I.

Petitioner's co-counsel, the Hon. Marc C. Carter, and his counsel, filed
proposed discovery under Rule 6 which was granted by this Honorable
Court. No objections to the proposals were submitted by the Respondent.
Co-counsel Carter was forced to withdraw from this cause due to his
appointment to the District Court bench in Harris County. Subsequent to
that withdrawal counsel McCann moved for new co-counsel, and co-counsel
Rosa Eliades was then appointed by the Court. Now that co-counsel has

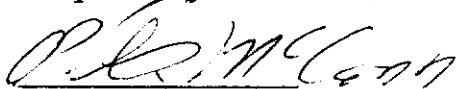
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been appointed the Petitioner wishes to move forward with granted discovery along the following proposed schedule:

1. All Requests for Production and Interrogatories submitted to appropriate parties no later than June 30th, 2004.
2. All responses due from parties or objections and requests thereto due by July 30th, 2004.
3. All secondary and follow up Requests and Interrogatories sent by August 15th, responses due September 15th.
4. All depositions shall be ongoing but completed by October 15th.
5. All discovery and additional expansion of the record shall be filed pursuant to Court order granting such no later than November 15th.

Petitioner prays the Court will grant him this schedule as proposed or modify said schedule and issue an order as appropriate.

Respectfully submitted,



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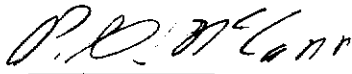
CERTIFICATE OF SERVICE

I hereby affirm that a true and correct copy of the foregoing was delivered to the Assistant Attorney General for the Respondent at the Capital Litigation Division, Office of the Attorney General, at Capitol Station in Austin Texas, in compliance with the Federal Rules of Procedure, via fax/first class mail, on Apr 27, 2004.


Counsel

CERTIFICATE OF CONFERENCE

I hereby affirm that I attempted to contact the Asst. Attorney General assigned to this matter regarding this proposed schedule via telephone and she was not available.


Counsel

**IN THE UNITED STATES DISTRICT COURT
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PRESTON HUGHES, III
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V. **Cause H-01-4073**
DOUGLAS DRETKE, DIRECTOR
TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, INSTITUTIONAL DIVISION
Respondent

DISCOVERY ORDER

On this day, the Court, having reviewed the proposed discovery schedule of the Petitioner, **grants** the proposed schedule in its entirety as outlined in the Petitioner's motion, or in the alternative issues the following modifications to the proposed dates.

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

Judge Presiding: _____

Date: _____